

09/17/03  
16569 U.S. PTO

PATENT  
Attorney Docket No.: 1300-4003 MIT 9845, 9846  
Express Mail Label No.: EU795168997US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

**UTILITY APPLICATION AND APPLICATION FEE TRANSMITTAL (1.53(b))**

Commissioner for Patents  
Mail Stop NEW PATENT APPLICATION  
P.O. Box 1450  
Alexandria, VA 22313-1450

22389 U.S. PTO  
10/664135  
09/17/03

Sir:

Transmitted herewith for filing is the patent application of:

Named Inventor(s) and Address(es): Poh-Boon PHUA, 26A, Parbury Avenue, S457334 Singapore  
Hermann A. HAUS, 3 Jeffrey Terrace, Lexington, MA 02420, USA

For: INDEPENDENTLY VARIABLE FIRST AND SECOND ORDER POLARIZATION  
MODE DISPERSION COMPENSATOR

Enclosed are:

- ☒ Application Data Sheet
- ☒ 24 pages of specification, 1 page of Abstract, 7 pages of claims 1-40
- ☒ 10 sheets of drawings ☒ formal ☐ informal
- ☒ 1 pages of Declaration and Power of Attorney ☒ newly executed
- ☒ Claim for Priority from U.S. provisional patent appl'ns serial no. 60/413,964 and 60/413,801, both filed September 26, 2002
- ☐ Certified copy of Priority Documents ☐ English translation
- ☒ Request for Non-publication and Certification Under 35 U.S.C. 122(b)(2)(B)(i)
- ☒ Information Disclosure Statement ☒ copy of 2 cited references  
☐ copy of PTO-1449 filed in parent application serial no. \_\_\_\_\_
- ☐ Preliminary Amendment
- ☒ Return receipt postcard
- ☒ Assignment papers (assignment cover sheet and assignment documents)
  - ☒ credit card payment authorization in the amount of \$40.00 for recording the Assignment
  - ☐ Assignment papers filed in parent application serial no. \_\_\_\_\_
  - ☐ Certification of chain of title pursuant to 37 C.F.R. § 3.73(b)
- ☐ This is a ☐ continuation ☐ divisional ☐ continuation-in-part (CIP) of prior application serial no. \_\_\_\_\_
  - ☐ Cancel in this application original claims \_\_\_\_\_ of the parent application before calculating the filing fee (at least one original independent claim must be retained for filing purposes).
  - ☐ A Preliminary Amendment is enclosed, adding claims numbered consecutively after the highest numbered original claim in the prior application.
- ☐ The status of the parent application is as follows:
  - ☐ A Petition For Extension of Time and proper Fee has been or is being filed in the parent application to extend the term for action in the parent application until \_\_\_\_\_.
  - ☐ A copy of the Petition For Extension of Time in the co-pending parent application is attached.
  - ☐ No Petition For Extension of Time is necessary in the co-pending parent application.
- ☐ Please abandon the parent application at a time while the parent application is pending or at a time when the Petition For Extension of Time in that application is granted and while this application is pending or has been granted a filing date, so as to make the application co-pending.
  - ☐ Transfer the drawings from the parent application to this application.
- ☐ Amend the specification by inserting before the first line the sentence:  
This is a ☐ continuation ☐ divisional ☐ continuation-in-part (CIP) of co-pending application serial no. \_\_\_\_\_ filed \_\_\_\_\_.

PATENT  
Attorney Docket No.: 1300-4003 MIT 9845, 9846  
Express Mail Label No.: EU795168997US

**CALCULATION OF APPLICATION FEE (For a Small Entity)**

	No. Filed	No. Included in Basic Fee	No. Extra	Rate per Claim	TOTAL
Basic Fee					375
Total Claims	40	20	20	9	180
Independent Claims	6	3	3	42	126
Multiple Dependent Claims				140	
TOTAL					681

☒ Small Entity Status is claimed. Reduced fees under 37 C.F.R. § 1.9(f) are paid herewith.

☐ A check in the amount of \$\_\_\_\_\_ in payment of the application filing fee is attached.

☒ A Credit Card Payment Form authorizing payment of \$ 681.00 is attached.

Respectfully submitted,

Date: Sept 17, 2003

Brenda Pomerance  
Brenda Pomerance  
Reg. No. 36,894

**CORRESPONDENCE ADDRESS:**

Brenda Pomerance  
Law Office of Brenda Pomerance  
260 West 52 St. Ste. 27B  
New York, New York 10019  
(212) 245-3940

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Poh-Boon PHUA et al.

Filed: herewith

Serial No.:

Confirmation No.:

Group Art Unit:

Examiner:

Title: INDEPENDENTLY VARIABLE FIRST AND SECOND ORDER  
POLARIZATION MODE DISPERSION COMPENSATOR

**EXPRESS MAIL CERTIFICATE**

Express Mail Label No: EU795168997US Date of Deposit: September 17, 2003

I hereby certify that the following attached paper(s) and/or fee

1. Application including 24 pg. specification, 1 pg. Abstract, 7 pg. claims 1-40
2. 10 sheets drawings
3. Application Data Sheet
4. Declaration, signed
5. Request for Non-Publication and Certification Under 35 U.S.C. 122(b)(2)(B)(i)
6. Information Disclosure Statement
7. PTO Form 1449
8. Copies of 2 references
9. Assignment
10. Assignment Recordation Cover Sheet
11. Application Fee Transmittal
12. Credit card payment authorization for \$ 681.00
13. Credit card payment authorization for \$ 40.00
14. Return receipt postcard
15. Statement of Authority to Sign on Behalf of Deceased Inventor

are being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. § 1.10 on the date indicated above and are addressed to the Commissioner for Patents, PO Box 1450, Alexandria, VA 22313-1450

  
Brenda Pomerance

CORRESPONDENCE ADDRESS:

Brenda Pomerance, Esq.  
Law Office of Brenda Pomerance  
260 West 52 St. Ste. 27B  
New York, NY 10019  
212 245-3940

<b>REQUEST AND CERTIFICATION UNDER 35 U.S.C. 122(b)(2)(B)(i)</b>	First Named Inventor	Poh-Boon PHUA
	Title	INDEPENDENTLY VARIABLE FIRST AND SECOND ORDER POLARIZATION MODE DISPERSION COMPENSATOR
	Atty Docket Number	1300-4003

I hereby certify that the invention disclosed in the attached application **has not and will not be** the subject of an application filed in another country, or under a multilateral agreement, that requires publication at eighteen months after filing. I hereby request that the attached application not be published under 35 U.S.C. 122(b).

September 17, 2003  
Date

Brenda Pomerance  
Signature

212 245 3940  
Telephone number

Brenda Pomerance  
Typed or printed name

This request must be signed in compliance with 37 CFR 1.33(b) and submitted with the application **upon filing**.

Applicant may rescind this non-publication request at any time. If applicant rescinds a request that an application not be published under 35 U.S.C. 122(b), the application will be scheduled for publication at eighteen months from the earliest claimed filing date for which a benefit is claimed.

If applicant subsequently files an application directed to the invention disclosed in the attached application in another country, or under a multilateral international agreement, that requires publication of applications eighteen months after filing, the applicant **must** notify the United States Patent and Trademark Office of such filing within forty-five (45) days after the date of the filing of such foreign or international application. **Failure to do so will result in abandonment of this application (35 U.S.C. 122(b)(2)(B)(iii)).**